

**House Study Bill 676 - Introduced**

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
HOUSE APPROPRIATIONS  
SUBCOMMITTEE ON JUSTICE  
SYSTEM)

(SUCCESSOR TO LSB 5008HA)

**A BILL FOR**

- 1 An Act relating to appropriations to the judicial branch.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2013 Iowa Acts, chapter 133, section 7, is  
2 amended to read as follows:

3 SEC. 7. JUDICIAL BRANCH.

4 1. There is appropriated from the general fund of the state  
5 to the judicial branch for the fiscal year beginning July 1,  
6 2014, and ending June 30, 2015, the following amount, or so  
7 much thereof as is necessary, to be used for the purposes  
8 designated:

9 a. For salaries of supreme court justices, appellate court  
10 judges, district court judges, district associate judges,  
11 associate juvenile judges, associate probate judges, judicial  
12 magistrates and staff, state court administrator, clerk of the  
13 supreme court, district court administrators, clerks of the  
14 district court, juvenile court officers, board of law examiners  
15 and board of examiners of shorthand reporters and judicial  
16 qualifications commission; receipt and disbursement of child  
17 support payments; reimbursement of the auditor of state for  
18 expenses incurred in completing audits of the offices of the  
19 clerks of the district court during the fiscal year beginning  
20 July 1, 2014; and maintenance, equipment, and miscellaneous  
21 purposes:

22 ..... \$ 82,299,684  
23 171,486,612

24 b. For deposit in the revolving fund created pursuant  
25 to section 602.1302, subsection 3, for jury and witness  
26 fees, mileage, costs related to summoning jurors, fees for  
27 interpreters, and reimbursement of attorney fees paid by the  
28 state public defender:

29 ..... \$ 1,550,000  
30 3,100,000

31 2. The judicial branch, except for purposes of internal  
32 processing, shall use the current state budget system, the  
33 state payroll system, and the Iowa finance and accounting  
34 system in administration of programs and payments for services,  
35 and shall not duplicate the state payroll, accounting, and

1 budgeting systems.

2 3. The judicial branch shall submit monthly financial  
3 statements to the legislative services agency and the  
4 department of management containing all appropriated accounts  
5 in the same manner as provided in the monthly financial status  
6 reports and personal services usage reports of the department  
7 of administrative services. The monthly financial statements  
8 shall include a comparison of the dollars and percentage  
9 spent of budgeted versus actual revenues and expenditures on  
10 a cumulative basis for full-time equivalent positions and  
11 dollars.

12 4. The judicial branch shall focus efforts upon the  
13 collection of delinquent fines, penalties, court costs, fees,  
14 surcharges, or similar amounts.

15 5. It is the intent of the general assembly that the offices  
16 of the clerks of the district court operate in all 99 counties  
17 and be accessible to the public as much as is reasonably  
18 possible in order to address the relative needs of the citizens  
19 of each county.

20 6. In addition to the requirements for transfers under  
21 section 8.39, the judicial branch shall not change the  
22 appropriations from the amounts appropriated to the judicial  
23 branch in this division of this Act, unless notice of the  
24 revisions is given prior to their effective date to the  
25 legislative services agency. The notice shall include  
26 information on the branch's rationale for making the changes  
27 and details concerning the workload and performance measures  
28 upon which the changes are based.

29 7. The judicial branch shall submit a semiannual update  
30 to the legislative services agency specifying the amounts of  
31 fines, surcharges, and court costs collected using the Iowa  
32 court information system since the last report. The judicial  
33 branch shall continue to facilitate the sharing of vital  
34 sentencing and other information with other state departments  
35 and governmental agencies involved in the criminal justice

1 system through the Iowa court information system.

2 8. The judicial branch shall provide a report to the general  
3 assembly by January 1, 2015, concerning the amounts received  
4 and expended from the enhanced court collections fund created  
5 in section 602.1304 and the court technology and modernization  
6 fund created in section 602.8108, subsection 7, during the  
7 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
8 and the plans for expenditures from each fund during the fiscal  
9 year beginning July 1, 2014, and ending June 30, 2015. A copy  
10 of the report shall be provided to the legislative services  
11 agency.

12 Sec. 2. 2013 Iowa Acts, chapter 133, section 8, is amended  
13 to read as follows:

14 SEC. 8. CIVIL TRIALS — LOCATION. Notwithstanding any  
15 provision to the contrary, for the fiscal year beginning July  
16 1, 2014, and ending June 30, 2015, if all parties in a case  
17 agree, a civil trial including a jury trial may take place in a  
18 county contiguous to the county with proper jurisdiction, even  
19 if the contiguous county is located in an adjacent judicial  
20 district or judicial election district. If the trial is moved  
21 pursuant to this section, court personnel shall treat the case  
22 as if a change of venue occurred. However, if a trial is moved  
23 to an adjacent judicial district or judicial election district,  
24 the judicial officers serving in the judicial district or  
25 judicial election district receiving the case shall preside  
26 over the case.

27 Sec. 3. 2013 Iowa Acts, chapter 133, section 9, is amended  
28 to read as follows:

29 SEC. 9. TRAVEL REIMBURSEMENT. Notwithstanding section  
30 602.1509, for the fiscal year beginning July 1, 2014, a  
31 judicial officer may waive travel reimbursement for any travel  
32 outside the judicial officer's county of residence to conduct  
33 official judicial business.

34 Sec. 4. 2013 Iowa Acts, chapter 133, section 10, is amended  
35 to read as follows:

1       SEC. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
2 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
3 required to be provided by the judicial branch for fiscal year  
4 2014-2015 to the legislative services agency shall be provided  
5 in an electronic format. The legislative services agency shall  
6 post the reports on its internet website and shall notify by  
7 electronic means all the members of the joint appropriations  
8 subcommittee on the justice system when a report is posted.  
9 Upon request, copies of the reports may be mailed to members of  
10 the joint appropriations subcommittee on the justice system.

11       Sec. 5. 2013 Iowa Acts, chapter 133, section 11, is amended  
12 to read as follows:

13       SEC. 11. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
14 the annual salary rates for judicial officers established by  
15 2008 Iowa Acts, chapter 1191, section 11, for the fiscal year  
16 beginning July 1, 2014, and ending June 30, 2015, the supreme  
17 court may by order place all judicial officers on unpaid leave  
18 status on any day employees of the judicial branch are placed  
19 on temporary layoff status. The biweekly pay of the judicial  
20 officers shall be reduced accordingly for the pay period in  
21 which the unpaid leave date occurred in the same manner as  
22 for noncontract employees of the judicial branch. Through  
23 the course of the fiscal year, the judicial branch may use an  
24 amount equal to the aggregate amount of salary reductions due  
25 to the judicial officer unpaid leave days for any purpose other  
26 than for judicial salaries.

27       Sec. 6. 2013 Iowa Acts, chapter 133, section 12, is amended  
28 to read as follows:

29       SEC. 12. IOWA COMMUNICATIONS NETWORK. It is the intent  
30 of the general assembly that the judicial branch utilize  
31 the Iowa communications network or other secure electronic  
32 communications in lieu of traveling for the fiscal year  
33 beginning July 1, 2014.

34

EXPLANATION

35       The inclusion of this explanation does not constitute agreement with

1           the explanation's substance by the members of the general assembly.

2       This bill makes appropriations to the judicial branch.

3       The bill appropriates from the general fund of the state for  
4 FY 2014-2015 to the judicial branch for salaries, maintenance,  
5 equipment, and miscellaneous purposes.

6       The bill provides that a civil trial including a jury trial  
7 may take place in a county contiguous to the county with proper  
8 jurisdiction, even if the contiguous county is located in an  
9 adjacent judicial district or judicial election district, if  
10 all the parties in a case agree. If a trial is moved to another  
11 county that is located in another judicial district or judicial  
12 election district, the judicial officers serving the judicial  
13 district or judicial election district receiving the case shall  
14 preside over the case.

15       The bill permits a judicial officer to waive travel  
16 reimbursement for any travel outside the judicial officer's  
17 county of residence to conduct official business.

18       The bill requires the judicial branch to file reports with  
19 the legislative services agency in an electronic format.

20       The bill allows a judicial officer to be placed on unpaid  
21 leave for the fiscal year beginning July 1, 2014, and ending  
22 June 30, 2015, on any day a court employee is required to  
23 furlough. The bill provides that if a judicial officer is  
24 placed on unpaid leave, the salary of the judicial officer  
25 shall be reduced accordingly for the pay period in which the  
26 unpaid leave occurred. Through the course of the fiscal year,  
27 the bill provides that the judicial branch may use an amount  
28 equal to the aggregate amount of the salary reductions due  
29 to judicial officer unpaid leave for any purpose other than  
30 judicial salaries.